

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Bail Appl..No. 492 of 2007()

CRIME NO.9/07 OF KODENCHERRY POLICE STATION.

PETITIONER/ACCUSED:

BENNY JOSEPH, S/O. JOSEPH,
AGED 34 YEARS, RESIDING AT ELINJINEM KUZAZHIL,
MYNAVU P.O., THAVARA.

BY ADV. SRI.LUIZ GODWIN D'COUTH

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REP. BY S.I. OF POLICE, KODENCHERRY THROUGH
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION NO.492 OF 2007

DATED THIS THE 31st DAY OF JANUARY, 2007

ORDER

Petitioner who is the second accused in Crime No.9/07 of Kodencherry Police Station for offences punishable under sections 52A and 68A of the Copy Right Act, 1957 in respect of allegedly pirated CDs, seeks anticipatory bail.

2. Even though the learned Public Prosecutor opposed the application, having regard to the fact that this court has already granted anticipatory bail to similarly situated persons, I see no reason why the petitioner should be treated differently. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn